AMENDMENTS TO THE DRAWINGS

Figure 3b has been amended to remove reference signs 418 and 420. The reference signs were not disclosed in the specification. Figure 3E has been amended to add reference signs 212 and 217. Support for reference signs 212 and 217 can be found at page 8, paragraphs [0079] and [0081], respectively. Figures 13A-22B and Figures 25A-27b have been amended to number consecutively from Figure 7. The amendments to the drawings introduce no new mater.

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REMARKS

I. Status of the application

IV. Claims 1, 3-5, 7-10, and 13 are Patentable over Ivory

Claims 1, 3-5, 7-10, and 13 stand rejected under 35 USC § 102(b) over Ivory. This rejection is respectfully traversed.

The invention defined by independent claim 1 is patentable over Ivory, because Ivory does not disclose a bulk fluid flow gate comprising all elements required by the claim. Ivory does not disclose at least one electrode and a first fluid flow chamber having a first fluid inlet port, a first fluid outlet port, a second fluid inlet port at a location between the first fluid inlet port and the first fluid outlet port, and a second fluid outlet port, the first fluid outlet port and the second fluid outlet port being on opposite sides of the first fluid inlet port.

Ivory fails to teach or suggest a first fluid flow chamber having a first fluid inlet port, a first fluid outlet port, a second fluid inlet port, and a second fluid outlet port, the first fluid outlet port and the second fluid outlet port being on opposite sides of the first fluid inlet port. Ivory discloses a device 100 having conduits 114 and 116 which serve as an inlet and an outlet respectively. Additionally, inlet connection device 318 and outlet connection device 320 are connected to the device 100. See Fig. 4, col. 8, lines 17-48 of Ivory. Inlets 114 and 318 and outlets 116 and 320 are located at opposing ends of the device. Therefore, the first fluid outlet port and the second fluid outlet port can not be on opposite sides of the first fluid inlet port as required by independent claim 1 of the instant application. Further, additional channels 118 for eluting, identified in Ivory, fail to be in a position with another outlet so as to be on opposite sides of an inlet. See Fig. 4 of Ivory.

Ivory, therefore, fails to teach or suggest a bulk fluid flow gate comprising at least one electrode and a first fluid flow chamber having a first fluid inlet port, a first fluid outlet port, a second fluid inlet port at a location between the first fluid inlet port and the first fluid outlet port, and a second fluid outlet port, the first fluid outlet port and the second fluid outlet port being on opposite sides of the first fluid inlet port.

The invention defined by amended independent claim 5 is patentable over Ivory, because Ivory does not disclose a bulk fluid flow gate comprising all elements required by the claim.

Ivory does not disclose at least one electrode and a first chamber in communication with the at least one electrode having a first entry port, a first exit port, a second entry port at a location between the first entry port and the first exit port, and a second exit port, the first exit port and the second exit port being on opposite sides of the first entry port.

Ivory fails to teach or suggest a first chamber having a first entry port, a first exit port, a second entry port at a location between the first entry port and the first exit port, and a second exit port, the first exit port and the second exit port being on opposite sides of the first entry port. As discussed previously, Ivory discloses inlets 114 and 318 and outlets 116 and 320 being located at opposing ends of a device. See Fig. 4, col. 8, lines 17-48 of Ivory. Therefore, the first fluid outlet port and the second fluid outlet port can not be on opposite sides of the first fluid inlet port as required by amended independent claim 5 of the instant application. Further, additional channels 118 for eluting, identified in Ivory, fail to be in a position with another outlet so as to be on opposite sides of an inlet. See Fig. 4 of Ivory.

Ivory, therefore, fails to teach or suggest a bulk fluid flow gate comprising at least one electrode and a first chamber in communication with the at least one electrode having a first entry port, a first exit port, a second entry port at a location between the first entry port and the first exit port, and a second exit port, the first exit port and the second exit port being on opposite sides of the first entry port and Applicants request the rejection be reconsidered and withdrawn.

V. Claims 2 and 12 are Patentable over Ivory

Claims 2 and 12 stand rejected under 35 USC § 103(a) over Ivory. This rejection is respectfully traversed.

As discussed previously Ivory fails to disclose a bulk fluid flow gate comprising at least one electrode and a first fluid flow chamber having a first fluid inlet port, a first fluid outlet port, a second fluid inlet port, and a second fluid outlet port, the first fluid outlet port and the second fluid outlet port being on opposite sides of the first fluid inlet port as required by independent claims 1 of which claim 2 depends.

Additionally, Ivory fails to disclose a bulk fluid flow gate comprising at least one electrode and a first chamber in communication with the at least one electrode having a first entry port, a first exit port, a second entry port at a location between the first entry port and the first exit port, and a second exit port, the first exit port and the second exit port being on opposite sides of the first entry port as required by amended independent claim 5 of which claim 12 depends. Therefore, Applicants request the rejection be reconsidered and withdrawn.

VI. Claims 15-17, 19, 21-24, and 26 are Patentable over Ivory

Claims 15-17, 19, 21-24, 26 stand rejected under 35 USC § 103(a) over Ivory. This rejection is respectfully traversed.

The invention defined by the subject claims is patentable over Ivory because, with respect to each of the subject claims, Ivory does not disclose a method comprising providing a bulk fluid flow gate comprising at least one electrode in communication with a first chamber having a first entry port, a first exit port, a second entry port at a location between the first entry port and the first exit port, and a second exit port, the first exit port and the second exit port being on opposite sides of the first entry port; introducing a sample into the first chamber; applying an electric field to the first chamber; and introducing bulk fluid into the first chamber.

As discussed previously Ivory fails to disclose a first chamber having a first entry port, a first exit port, a second entry port, and a second exit port, the first exit port and the second exit port being on opposite sides of the first entry port. Therefore, Ivory fails to teach or suggest a method comprising providing a bulk fluid flow gate comprising an electrode in communication with a first chamber having a first entry port, a first exit port, a second entry port at a location between the first entry port and the first exit port, and a second exit port, the first exit port and the second exit port being on opposite sides of the first entry port; introducing a sample into the first chamber; applying an electric field to the first chamber; and introducing bulk fluid into the first chamber. Applicants request the rejection be reconsidered and withdrawn.

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VII. Conclusion

Applicants request that the amendments as presented above be entered and that the application be reconsidered. Applicants submit that all claims pending in the application are now in condition for allowance.

A petition for a three-month extension of time under 37 C.F.R. 1.136(a) and the accompanying fee are filed herewith. The Commissioner is hereby authorized to charge any such fees or credit any overpayment of fees to Deposit Account No. 19-0733.

Respectfully submitted,

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Peter D. McDermott, Reg. No. Reg. 29,411
Customer No. 22910
Banner & Witcoff, LTD.
28 State Street, Suite 1800
Boston, MA 02109
Phone: (617) 720-9600
Fax: (618) 720-9601
e-mail: pmcdermott@bannerwitcoff.com